



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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OFFICE OF
ECOSYSTEMS,
TRIBAL AND PUBLIC
AFFAIRS

April 4, 2016

Marcy Anderson
Ochoco Summit Trail System ID Team
3160 NE 3rd Street
Prineville, Oregon 97754

Dear Ms. Anderson:

We have reviewed the Ochoco National Forest's February 2016 Supplemental Draft Environmental Impact Statement for the Ochoco Summit Trail System (EPA Region 10 Project Number #09-067-AFS). Our review was conducted in accordance with the EPA's responsibilities under the National Environmental Policy Act and Section 309 of the Clean Air Act. Section 309 specifically directs the EPA to review and comment in writing on the environmental impacts associated with all major federal actions. Our review of the DEIS prepared for the proposed action considers expected environmental impacts and the adequacy of the EIS in meeting procedural and public disclosure requirements of the NEPA.

Project Summary

The Supplemental Draft EIS analyzes five alternatives related to the development of a trail for motorized off-highway vehicles on the Ochoco National Forest. Alternative 5 is the preferred alternative and would create a 135 mile trail network, providing areas intended for use by motorcycles, ATVs, Jeeps and 4x4 trucks, and side-by-side buggies. The Supplemental Draft EIS has been prepared because a 2014 wildfire changed project area conditions and the responsible official desired to have additional discussions with stakeholders prior to making a decision.

Responsiveness to the EPA's input

The 2013 Draft EIS and 2014 Final EIS were responsive to the EPA's recommendations for the EIS to:

- discuss resource availability for trail and other facility construction
- compare the likelihood of adequate maintenance funding for the alternatives
- describe restoration and rehabilitation guidelines for user/created trails
- address impacts to 303(d) listed waterbodies
- identify drinking water sources and potential impacts
- include a comprehensive section on implementation and administration
- discuss the project's adaptive management plan
- consider the potential benefits of controls for dispersed camping in areas of special interest
- discuss mitigation for preventing the spread of noxious weeds
- discuss how the route designation decisions contribute to the Forest's climate change adaptation strategy
- consider off-setting the impacts of new trail, new disturbance or increased use within sensitive areas with active decommissioning of user-created trails of commensurate length of disturbance area

While the past EISs have been responsive to the EPA's recommendations, and we have noted our support for the project's purposes, our 2014 Final EIS comments noted our continuing concern about the potential for new trails and increased motorized use to increase sedimentation to streams, increase the introduction and spread of invasive plants, and impact wildlife and wildlife habitat.

Given our continuing concern about increased sedimentation to streams at the 2014 Final EIS stage, we are pleased to see that the 2016 Supplemental Draft EIS's new alternative, the preferred alternative - Alternative 5, "...addresses some key hydrologic concerns that were brought up in comments and should, overall, be more beneficial to aquatic species than Alternative 3 (*the preferred alternative at the Final EIS stage.*)".¹

EPA Rating

We are rating the Supplemental Draft EIS Environmental Concerns – Adequate (EC-1) because our 2014 Final EIS concerns largely remain, even though several important hydrologic concerns have been addressed by the new preferred alternative. For example:

- new trail construction is the same number of miles as the past preferred alternative
- miles of trail system in a Riparian Habitat Conservation Area is increased
- there is a larger number of 6th field sub-watersheds with increased motorized route density
- increased miles of designated trail system in shrub-scrubland special habitat

Minimizing and off-setting impacts

Moving forward and to address our concerns, we recommend that the Supplemental Final EIS include additional rehabilitation and restoration sites for user created routes and decommissioned roads that have the potential to cause resource damage and are no longer needed.

Thank you for the opportunity to comment on this Supplemental Draft EIS. If you have any questions, please contact me at (206) 553-1601 or by electronic mail at reichgott.christine@epa.gov, or you may contact Erik Peterson of my staff at (206) 553-6382 or by electronic mail at peterson.erik@epa.gov.

Sincerely,



Christine B. Reichgott, Manager
Environmental Review and Sediment Management Unit

Enclosure:

1. U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements

¹ DSEIS, p. 225

**U.S. Environmental Protection Agency Rating System for
Draft Environmental Impact Statements
Definitions and Follow-Up Action***

Environmental Impact of the Action

LO – Lack of Objections

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC – Environmental Concerns

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO – Environmental Objections

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU – Environmentally Unsatisfactory

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 – Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 – Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 – Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.